

Attorneys for plaintiffs:  
ELITEGROUP COMPUTER SYSTEMS INC.

ELITEGROUP COMPUTER SYSTEMS INC.	)	<b>CASE NO.: C07-01744 CW ENE</b>
	)	
Plaintiffs,	)	<b>STIPULATION AND ORDER</b>
	)	<b>EXTENDING THE TIME TO</b>
v.	)	<b>COMPLETE EARLY NEUTRAL</b>
	)	<b>EVALUATION (ENE) AND TRIAL</b>
KINTETSU WORLD EXPRESS HK,	)	<b>SCHEDULE</b>
	)	
Defendants.	)	<b>TRIAL DATE: April 28, 2008</b>
	)	
	)	

5. WHEREAS the parties have been working diligently toward resolution of this

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matter including the exchanging of settlement figures and two telephone sessions with the ENE Evaluator Harvey Wittenberg;

6. WHEREAS the current status of settlement discussions is that a settlement figure is being recommended by both counsels to their clients and they are awaiting confirmation from overseas and one party is negotiating a contribution from a third party;

7. WHEREAS the changes in the dates for the ENE have not been the fault of the parties, but rather the difficulties in the Calendar of the assigned Evaluator (the parties having previously agreed to dates for attendance only to have those dates become impossible for the Evaluator after setting);

8. WHEREAS the deadline for filing motions directed to the merits is December 20, 2007 with a hearing deadline of January 24, 2008

9. WHEREAS if the ENE deadline and the last day to hear motions directed to the merits were continued for another 30 to 45 days, the parties are hopeful that a resolution will be achieved;

THE PARTIES HERETO STIPULATE AND REQUEST that the Court permit the continuance of the ENE in this matter up to and including January 18, 2008 to accommodate the calendar of the assigned Evaluator and continue the pre-trial and trial dates as follows:

1. Last Day to Hear Motions from January 4, 2008 to March 6, 2008 at 2:00 p.m.;
2. Last Day to Complete Discovery from January 30, 2008 to February 28, 2008;
3. Last Day to Disclose Experts from January 15, 2008 to February 15, 2008;
4. Last Day to Complete Expert Discovery from February 15, 2008 to March 15, 2008;
5. Final Pre-Trial Conference from April 8, 2008 to July 15, 2008; and
6. Trial (3 day jury trial) from April 28, 2008 to July 28, 2008.

Dated: December 5, 2007

**LAW OFFICES OF GEORGE W. NOWELL**

By: /S/ \_\_\_\_\_  
Paul B. Arenas  
Attorneys for plaintiff

ELITEGROUP COMPUTER SYSTEMS INC.

Dated: December 5, 2007

**COGSWELL NAKAZAWA & CHANG LLP**

By: /S/ \_\_\_\_\_

Alan Nakazawa

Attorneys for defendant

**KINTETSU WORLD EXPRESS HK EXPRESS**

**ORDER**

IT IS SO ORDERED. The deadline for the completion of the ENE session is hereby continued to January 18, 2008 and the pre-trial and trial dates as follows:

1. Last Day to Hear Motions from January 24, 2008 to March 6, 2008 at 2:00 p.m.; **a further Case Management Conference will also be held at that time whether or not motions are filed.**
2. Last Day to Complete Discovery from January 30, 2008 to February 28, 2008;
3. Last Day to Disclose Experts from January 15, 2008 to February 15, 2008;
4. Last Day to Complete Expert Discovery from February 15, 2008 to March 15, 2008;
5. Final Pre-Trial Conference from April 8, 2008 to July 15, 2008 at 2:00 pm.; and
6. Trial (3 day jury trial) from April 28, 2008 to July 28, 2008 at 8:30 a.m.

Dated: December 10, 2007



UNITED STATES DISTRICT COURT JUDGE